

Appl. No. 10/089,341
Atty. Docket No. CM2210MQL
Amdt. dated July 22, 2003
Reply to Office Action of March 26, 2003
Customer No. 27752

REMARKS

Claims 1-5 and 7-11 are pending in the present application. Claim 6 is canceled without prejudice. No additional claims fee is believed to be due.

Claims 1, 7, and 10 have been amended to more specifically characterize the invention. Support for the amendment is found at page 3, lines 17-22 of the specification. Claim 2 has been amended to contain the correct preamble. Claims 4, 5, 8, 9, and 11 have been amended to depend from the correct independent claim. Claims 1, 7, 9, 10, and 11 have been amended to correct grammatical errors. It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC 112, Second Paragraph

The Office Action states that Claim 1-11 are rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Each of rejections, (a) – (e), are addressed.

- (a) Claim 2 has been amended to contain the correct preamble. Claims 4 and 5 have been amended to depend from Claim 3. Claim 6 has been canceled.
- (b) Claim 6 has been canceled.
- (c) Claim 9 has been amended to depend from Claim 8 which provides antecedent basis.
- (d) Claim 10 has been amended to remove the word "step".
- (e) Claims 1, 7, and 10 have been amended to clarify that the polyolefinic homopolymer has one phase of molecules all of which exhibit a similar stereochemical configuration. All other claims depend from Claim 1, 7, and 10.

Rejection Under 35 USC 102 and/or 103(a) Over Sawyer et al.

Claims 1-11 have been rejected under 35 USC 102(b) for being anticipated by or, in the alternative, under 35 USC 103(a) as being unpatentable over Sawyer et al. (US 5,672,415). Applicants respectfully traverse this rejection. Sawyer et al. discloses multicomponent conjugate filaments containing an ethylene polymer component and a propylene polymer component. The suitable propylene polymers include homopolymers and copolymers of propylene, which include isotactic polypropylene, syndiotactic polypropylene, elastomeric homopolymer polypropylene and propylene copolymers containing minor amounts of one or more of other monomers that are

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known to be suitable for forming propylene copolymers. Sawyer et al. does not contain all of Applicants' claim limitations as it does not disclose the use of one phase of a molecule having similar stereochemical configuration.

The present invention, as amended in the claims, requires that the polymer is a homopolymer which comprise only one phase of molecules all of which exhibit a similar configuration. This excludes mixtures of different phases. One having ordinary skill in the art would not have been motivated by the teachings of Sawyer et al. to develop a polyolefinic homopolymer having one phase of molecules all of which exhibit a similar stereochemical configuration. Therefore, Applicants' content that the claimed invention is not anticipated and unobvious and that the rejection should be withdrawn.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under Sawyer et al. Early and favorable action in the case is respectfully requested.

Applicants have made an earnest effort to place their application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, Applicants respectfully request reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-5 and 7-11.

Respectfully submitted,
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